

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

21-mj-5127

-v-

VANESSA RONDEAU,

Defendant.

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**GOVERNMENT'S NOTICE OF MOTION FOR AN  
ADJOURNMENT OF THE RULE 48(b) DISMISSAL ORDER**

**PLEASE TAKE NOTICE** that the United States moves the Court for an adjournment of the date for the Order pursuant to Fed. R. Crim. P. 48(b) dismissing the criminal complaint in this case from September 15, 2021, to November 19, 2021. The motion is based upon an accompanying Affidavit of Assistant United States Attorney Aaron J. Mango. Counsel for the defendant, Jeffrey T. Bagley, consents to the relief sought herein.

DATED: Buffalo, New York, September 13, 2021

JAMES P. KENNEDY, JR.  
United States Attorney

BY: */s/AARON J. MANGO*  
Assistant United States Attorney  
United States Attorney's Office  
Western District of New York  
138 Delaware Avenue  
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**AFFIDAVIT**

STATE OF NEW YORK    )  
COUNTY OF ERIE        ) SS:  
CITY OF BUFFALO        )

AARON J. MANGO, being duly sworn, deposes and states:

1. I am an Assistant U.S. Attorney for the Western District of New York and am presently assigned to prosecute the above-captioned case. This affidavit is made in support of the government's motion to adjourn the Rule 48(b) dismissal order.

2. On May 26, 2021, a criminal complaint was authorized by the Court charging the defendant with Lacey Act Trafficking, Lacey Act, False Labeling, and Smuggling. At the initial appearance on June 15, 2021, the defendant was released on conditions previously imposed in the District of Vermont, and the Court scheduled a Rule 48(b) dismissal date for September 15, 2021.

4. Since the initial appearance, the government has provided significant discovery to the defendant, and the parties have had preliminary discussions regarding a pre-indictment

resolution of the case. However, the parties are requesting additional time to allow the defendant to review the voluminous discovery provided, and further discuss a pre-indictment resolution. Therefore, the parties respectfully move this Court to adjourn the Rule 48(b) date from September 15, 2021, to November 19, 2021, and to exclude time under the Speedy Trial from the September 15, 2021, to November 19, 2021, pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and (h)(7)(B)(iv). Counsel for the defendant consents to this motion, and agrees to the exclusion of time from September 15, 2021, to November 19, 2021, under the Speedy Trial Act, in that the ends of justice are served by such an adjournment and outweigh the best interests of the public and the defendant in a speedy trial.

5. It is in the best interests of the defendants to resolve the case in such a way that provides a more favorable plea and sentence than what the defendants would face if convicted after indictment and trial. The time, resources, and expense of grand jury action, a trial, and possible appeal would be saved if a pretrial resolution is reached, and therefore the interests of justice outweigh the interest of the public in a speedy trial.

WHEREFORE, for all of the foregoing reasons, the parties respectfully request that the Court grant the government's motion to adjourn the Rule 48(b) dismissal date for the pending criminal complaint until November 19, 2021, and to exclude the period from September 15, 2021, to November 19, 2021, from the Speedy Trial Act, pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and (h)(7)(B)(iv).

**/s/AARON J. MANGO**  
Assistant United States Attorney  
United States Attorney's Office  
Western District of New York  
138 Delaware Avenue  
Buffalo, New York 14202  
(716) 843-5882  
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Sworn to before me this 13<sup>th</sup> day  
of September, 2021.

**/s/KATHLEEN M. RIEMAN**  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 9-23-2021